

REMARKS/ARGUMENTS

By this Amendment, claims 7-9 and 13 are cancelled, claims 1, 10, 12, 14, and 17 are amended, and claims 26 and 27 are added. Claims 1-19 and 26-27 are pending.

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 USC § 102

The Examiner rejects Claims 1-4, 7, 9, 12, 14 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. S 5,891,196 and under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,378,224.

None of the applied references, taken alone or in combination, disclose or suggest the claimed invention, a method of treating an implantable biological tissue, wherein said method comprises (1) stabilizing glycosaminoglycans on the tissue and (2) cross-linking proteins on the tissue, wherein stabilization of glycosaminoglycans on the tissue is achieved by contacting the tissue with a water-soluble carbodiimide having a pH of about 6.9 to 7.9.

Claim Rejections – 35 USC § 103

Rejection of claims 5 and 6 are obviated by the present amendment of claim 1.

Regarding the pH, US 5,447,536 cannot be relied upon to disclose that the pH of a stabilizing reaction can be in a range from about 6.5 to 7.4 because it does not teach stabilizing glycosaminoglycans on the tissue. Also, '536 patent does not teach stabilizing

Application No. 09/933,680

06/02/03

Reply to Office Action of December 2, 2002

glycosaminoglycans when glutaraldehyde is used. '536 patent teaches cross-linking the tissue proteins in the absence of glutaraldehyde. '536 patent provides no motivation to be combined with the '196 patent and/or '224 patent.

Further, the Applicant defines the range from about 6.5 to 7.4 on page 7, lines 11-13 as a pH being near physiological pH (7.4), which is different from the acidic pH of about 4.7 to about 5.2.

Claims 15-19

Regarding claims 15-19, the Applicant is adding back claims 15-19 because they were inadvertently cancelled by previous attorneys in the preliminary amendment of August 22, 2001. Although claims 15-19 were restricted in a parent application, it is respectfully submitted that these claim should now be examined for at least the same reasons as claim 14 has been examined currently by the Examiner together with Group I claims.

For at least the reasons set forth above, it is respectfully submitted that the above-identified application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully requested.

Should the Examiner believe that anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants'

Application No. 09/933,680

06/02/03

Reply to Office Action of December 2, 2002

undersigned attorney at the telephone number listed below.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

June 2, 2003

By Marina E. Volin

Marina E. Volin

Registration No. 52,328

Customer No. 03000

(215) 567-2010

Attorneys for Applicants

Please charge or credit our
Account No. 03-0075 as necessary
to effect entry and/or ensure
consideration of this submission.

B